



U.S. ARMY

# Western Review

## of Legislative & Regulatory Actions

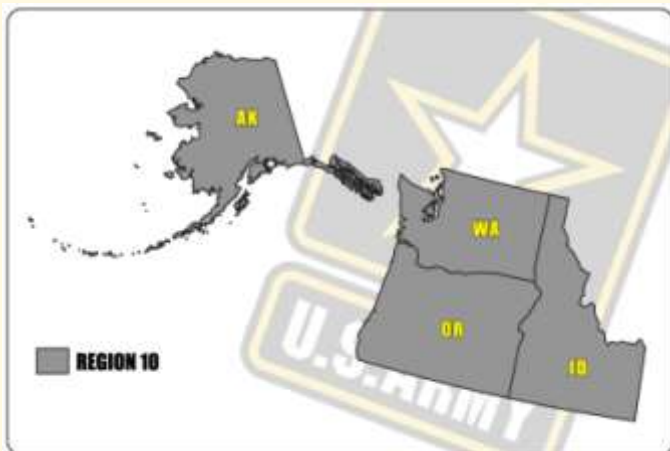
### Region 10



The U.S. Army Regional Environmental & Energy Office

December 2012

The **WESTERN REGION 10 REVIEW** provides current information on natural resource, energy and environmental issues relevant to Department of Defense interests in the 4 states that comprise Federal Region 10. The Review is intended to be a tool useful to DoD and Army leaders, planners, and program managers in carrying out their responsibilities. The Western Region 10 Review monitors and targets proposed and final regulations and legislation that may affect Army or DoD operations. To receive a copy of this electronic publication, send an email request to [nancy.reese2@us.army.mil](mailto:nancy.reese2@us.army.mil).



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## Master Planning Policy Guidance

The Army's guidance for incorporation of sustainable design principles addresses how installation master planning documents should address energy efficiency and renewable resources, water conservation, and low impact development. The guidance is provided in the memorandum titled *Master Planning Policy Guidance for Sustainable Design and Development (Environmental and Energy Performance)*.

The memorandum, which applies to all Army installations, has specific instructions for installations identified as Net Zero. Additionally, it instructs that all installations should consider private funding solutions, such as Utility Energy Service Contracts (UESCs), Energy Savings Performance Contracts (ESPCs), Power Purchase Agreements (PPAs), and Enhanced Use Leasing (EUL).

An enclosure to the memorandum contains instructions for updating installation real property master plans, including guidance for when updates should be complete.

Real property master planners must ensure integration of these policies into their installation's real property master plans. They must coordinate with energy, drinking water, storm water, wastewater, solid waste, natural resource, cultural resource, and sustainability managers to integrate appropriate installation goals into their plans. All real property master plans, including Installation Design Guides, Capital Investment Strategy, Area Development Plans, and Long Range Component, must be updated to address all references in the memorandum.

The memorandum is available at [http://army-energy.hqda.pentagon.mil/docs/masterplanning\\_policyguidance\\_SDD.pdf](http://army-energy.hqda.pentagon.mil/docs/masterplanning_policyguidance_SDD.pdf). References in the memorandum are posted at <https://www.us.army.mil/suite/files/32712608>.

# Region 10

For more information on any state issues in Region 10, contact [Jeff Andrews](#), Region 10 Environmental Coordinator (206) 764-6503.

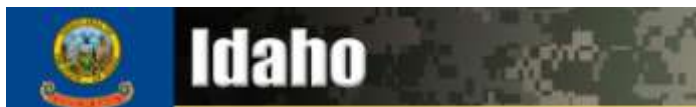


## ***WATER***

**ADEC ASSUMES WASTEWATER DISCHARGE PERMITTING** The Alaska Department of Environmental Conservation (ADEC) assumed final permitting authority from the US Environmental Protection Agency (USEPA) for wastewater discharge permitting and compliance in Alaska. This final phase of the transfer of permitting authority to the state includes wastewater permitting for the oil and gas industry, pesticides, munitions, and any other facilities that have not yet been transferred. The USEPA will assume an oversight role for Alaska's Pollutant Discharge Elimination System (APDES) program and will retain permitting authority for facilities operating outside state waters (generally three miles offshore) and others, such as facilities located in Indian Country. A press release about the notice of final transfer of permitting authority is available at [http://www.statescape.com/RegsText/StaticDownloads/64849\\_97152.pdf](http://www.statescape.com/RegsText/StaticDownloads/64849_97152.pdf). The APDES program website is available at <http://dec.alaska.gov/water/npdes/index.htm>.

## ***LEGISLATIVE DEVELOPMENTS***

The Alaska 2013 legislative session begins January 15, 2013 and adjourns April 14, 2013. For additional information on the Alaska legislature, go to <http://www.legis.state.ak.us>.



## ***WASTE***

**HAZARDOUS WASTE RULES INCORPORATED BY REFERENCE** The Idaho Department of Environmental Quality (IDEQ) adopted a rulemaking that updates federal hazardous waste regulations incorporated by reference. This action updates the federal regulations incorporated by reference to include those revised as of July 1, 2012. The adopted rule is now pending review by the 2013 Idaho State Legislature for final approval. For more information, contact Paula Wilson at (208) 373-0418 or at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov). The notice of adoption of the pending rule is available at [http://www.statescape.com/RegsText/StaticDownloads/60328\\_97507.pdf#page=65](http://www.statescape.com/RegsText/StaticDownloads/60328_97507.pdf#page=65).

## ***WATER***

**ONSITE WASTEWATER SYSTEM GUIDANCE MANUAL** The IDEQ is proposing revisions to its guidance on how to design, construct, and operate subsurface sewage disposal systems. Proposed revisions to IDEQ's web-based Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems address medium sand gradation definitions, in-tank pump usage, and gravel-less trench guidance. Comments are due December 17, 2012. For more information, contact Tyler Fortunati at (208) 373-0140 or at [tyler.fortunati@deq.idaho.gov](mailto:tyler.fortunati@deq.idaho.gov). The notice of proposed revisions is available at <http://www.deq.idaho.gov/news-archives/water-tgm-revisions-comment-111612.aspx>.

**PUBLIC DRINKING WATER SYSTEM RULES** The IDEQ adopted revisions to the Idaho Rules for Public Drinking Water Systems (58.01.08). The revisions define terminology and establish consistent requirements for new water treatment technologies such as membrane filtration and ultraviolet (UV) disinfection. The adopted rule is now pending review by the 2013 Idaho State Legislature for final approval. For more information, contact Mike Piechowski at (208) 373-0274 or at [mike.piechowski@deq.idaho.gov](mailto:mike.piechowski@deq.idaho.gov). The notice of adoption of the pending rule is available at [http://www.statescape.com/RegsText/StaticDownloads/45182\\_97508.pdf#page=66](http://www.statescape.com/RegsText/StaticDownloads/45182_97508.pdf#page=66).

## ***LEGISLATIVE DEVELOPMENTS***

The Idaho 2013 legislative session begins January 4, 2013 and adjourns April 15, 2013. For additional information on the Idaho legislature, go to <http://www2.state.id.us/legislat>.



## ***WATER***

**2012 WATER QUALITY PERMIT FEES** The Oregon Department of Environmental Quality adopted a 2.7% fee increase for all National Pollution Discharge Elimination System (NPDES) and Water Pollution Control Facility permits water quality permits. The permit fee increase applies to all NPDES and Water Pollution Control Facility individual and general permits, except suction dredge (700-PM) and graywater (2401, 2402) general permits. The fee increase was effective November 1, 2012. For more information, contact Chris Clipper at (503) 229-5656. The notice of proposed rulemaking is available at [http://www.statescape.com/RegsText/StaticDownloads/60039\\_89685.pdf#page=13](http://www.statescape.com/RegsText/StaticDownloads/60039_89685.pdf#page=13). The notice of final rulemaking is available at [http://www.statescape.com/RegsText/StaticDownloads/60039\\_97663.pdf](http://www.statescape.com/RegsText/StaticDownloads/60039_97663.pdf) and at [http://www.statescape.com/RegsText/StaticDownloads/60039\\_97664.pdf](http://www.statescape.com/RegsText/StaticDownloads/60039_97664.pdf) (scroll down to tables 9A, 9B, 9C, 9D, 9E, and 9F).

## ***LEGISLATIVE DEVELOPMENTS***

The Oregon 2013 legislative session begins February 4, 2013 and adjourns June 29, 2013. For additional information on the Oregon legislature, go to <http://www.leg.state.or.us>.



## ***AIR***

**PUGET SOUND: SOLID-FUEL BURNING DEVICE STANDARDS** The Puget Sound Clean Air Agency adopted a local rule to reduce fine particulate (PM<sub>2.5</sub>) pollution in the Tacoma-Pierce County nonattainment area. The rule requires the removal of uncertified wood stoves and coal-only heaters from buildings in the Tacoma-Pierce County nonattainment area by September 30, 2015; clarifies allowable fuels; and adds a prohibition on installing unapproved devices (including older, uncertified wood stoves). This final rule was effective December 1, 2012. For more information, contact Rob Switalski at [robs@pscleanair.org](mailto:robs@pscleanair.org). The notice of proposed rulemaking is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/17/12-17-145.htm>. The notice of final rule adoption is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/22/12-22-012.htm>.

## **CLIMATE CHANGE**

**GHG EMISSIONS FROM COMBINED CYCLE COMBUSTION TURBINES** The Washington Department of Commerce is proposing to establish the average greenhouse gas (GHG) emission rate from new, commercially available combined cycle combustion turbines (referenced in Revised Code of Washington [RCW] 80.80.040 Greenhouse Gas Emission Performance Standard - Rules). This section establishes the state GHG emission performance standard for utility baseload electric generation. A public hearing was held November 28, 2012. Comments were due December 3, 2012. A rule adoption hearing is scheduled for December 20, 2012. For more information, contact Carolee Sharp at (360) 725-3118 or at [carolee.sharp@commerce.wa.gov](mailto:carolee.sharp@commerce.wa.gov). The notice of proposed rule is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/21/12-21-138.htm>.

## **WASTE**

**SEDIMENT MANAGEMENT STANDARDS** The Washington Department of Ecology (WADOE) is proposing to revise certain portions of the Sediment Management Standards (Chapter 173-204 Washington Administrative Code [WAC]) that define the requirements for managing contaminated sediments in Washington. The proposed changes are intended to clarify requirements for cleanup of contaminated sediment sites and streamline the cleanup process. The proposed amendments would:

- clarify requirements for cleanup of bioaccumulative chemicals;
- integrate cleanup requirements in the state's sediment management standards and Model Toxics Control Act rules; and
- adopt freshwater standards to protect aquatic life.

A rule adoption hearing is scheduled for December 14, 2012. For more information, contact Adrienne Dorrah at (360) 407-7195 or at [adrienne.dorrah@ecy.wa.gov](mailto:adrienne.dorrah@ecy.wa.gov). The notice of proposed rulemaking is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/17/12-17-084.htm>. A press release is available at [http://www.statescape.com/RegsText/StaticDownloads/46203\\_91134.htm](http://www.statescape.com/RegsText/StaticDownloads/46203_91134.htm). The notice of rule adoption hearing is available at <http://apps.leg.wa.gov/documents/laws/wsr/2012/21/12-21-034.htm>.

## **LEGISLATIVE DEVELOPMENTS**

The Washington 2013 legislative session begins January 14, 2013 and adjourns April 24, 2013. For additional information on the Oregon legislature, go to <http://www.leg.wa.gov/wsladm>.

# **Department of Defense Activity**

**ARMY LAUNCHES OPERATIONAL ENERGY USE CAMPAIGN** The US Army launched its "The Power is In Your Hands" campaign in October 2012 to encourage soldiers to use energy smarter on the battlefield. The campaign will focus on creating an energy-informed culture throughout the Army, so that energy is factored into mission decisions. At the 2012 Association of the US Army (AUSA) Annual Meeting and Exposition, Lt. Gen. Raymond V. Mason who heads the Army's Operational Energy Office, released a list of 10 initiatives for operational energy. The key elements of the initiatives include batteries and "worn power," generators, training simulators, accounting systems and microgrids, performance incentives for fuel and water savings, analytical tools that support the more rapid introduction of new conservation equipment (including a demonstration project at Camp Buehring, Kuwait), improvements for certain aircraft and vehicles, and next-generation technologies aimed at increased agility and sustainability. Additional information is available at [http://www.army.mil/article/89693/Army\\_launches\\_smart\\_Operational\\_Energy\\_use\\_campaign\\_\\_identifies\\_10\\_initiatives/](http://www.army.mil/article/89693/Army_launches_smart_Operational_Energy_use_campaign__identifies_10_initiatives/) and <http://usarmy.vo.llnwd.net/e2/c/downloads/269569.pdf>.



# Federal Activity

## *AIR*

### **REGULATORY REVIEW: HEAVY-DUTY ENGINE AND VEHICLE STANDARDS AND HIGHWAY DIESEL FUEL SULFUR CONTROL REQUIREMENTS**

The USEPA announced that it will review its Heavy-Duty Engine and Vehicle Standards and Highway Diesel Fuel Sulfur Control Requirements (Heavy-Duty 610 Review) ([77 FR 65840](#)). As part of this review, the agency is soliciting comment on: the continued need for the rules; the nature of complaints or comments received concerning the rules; the complexity of the rules; the extent to which the rules overlap, duplicate, or conflict with other Federal, State, or local government rules; and the degree to which the technology, economic conditions, or other factors have changed in areas affected by the rules. Comments are due December 31, 2012. For more information, contact Tad Wysor at (734) 214-4332 or at [wysor.tad@epa.gov](mailto:wysor.tad@epa.gov).

**NSR FOR PM<sub>2.5</sub>** The USEPA issued a final rule revising the definition of “regulated air pollutant” contained in two sets of Prevention of Significant Deterioration (PSD) regulations and in the agency’s Emission Offset Interpretive Ruling ([77 FR 65107](#)). The revision corrects an inadvertent error made in the 2008 final rule that implements the New Source Review (NSR) program for PM<sub>2.5</sub>. This action also removes a general requirement in the definition of regulated NSR pollutant to include condensable particulate matter (PM) when measuring one of the emissions-related indicators for PM. This final rule amending Title 40 Code of Federal Regulation (CFR) Parts 51 and 52 is effective December 24, 2012. For more information, contact Dan deRoeck at (919) 541-5593 or at [deroeck.dan@epa.gov](mailto:deroeck.dan@epa.gov).

**PM<sub>2.5</sub> WORKSHOP** The USEPA scheduled a workshop on January 7, 2013 to identify approaches to assess the effectiveness of policies that reduce ambient levels of PM<sub>2.5</sub> ([77 FR 66837](#)). Significant reductions in ambient levels of PM<sub>2.5</sub> have been attributed to power plant sulfur dioxide (SO<sub>2</sub>) emission reductions in the east and to truck and marine engine rules in the west (SO<sub>2</sub> is a precursor to the formation of PM<sub>2.5</sub>). The purpose of this workshop is to identify approaches to design research to assess the public health benefits from implementation of these large-scale changes in levels of air pollution. For more information, contact Neal Fann at (919) 541-0209 or at [Fann.Neal@epa.gov](mailto:Fann.Neal@epa.gov).

**ALASKA SIP: OZONE NAAQS** The USEPA approved the Alaska State Implementation Plan (SIP) revisions demonstrating compliance with the 1997 national ambient air quality standards (NAAQS) for ozone ([77 FR 64425](#)). The agency found that the Alaska SIP meets the following 110(a)(2) infrastructure elements for the 1997 8-hour ozone NAAQS: (A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M). In addition, the agency approved the ozone standard at an 8-hour averaging period, the associated federal method for measuring and monitoring ozone in ambient air, a general definition of ozone, federal PSD program changes to regulate nitrogen oxides (NO<sub>x</sub>) as a precursor to ozone, and provisions to satisfy conflict of interest disclosure requirements. This final rule was effective November 21, 2012. For more information, contact Kristin Hall at (206) 553-6357 or at [hall.kristin@epa.gov](mailto:hall.kristin@epa.gov).

**IDAHO SIP** The USEPA approved Idaho Regional Haze SIP amendments ([77 FR 66929](#)). This action approves the remaining portion of the Idaho’s October 25, 2010, Regional Haze SIP submittal, including those portions that address Clean Air Act provisions that require states to set Reasonable Progress Goals (RPGs) for their Class I areas, and to develop a Long Term Strategy (LTS) to achieve these goals. This action is effective December 10, 2012. For more information, contact Steve Body at (206) 553-0782 or at [Body.Steve@epa.gov](mailto:Body.Steve@epa.gov).

## ***ENDANGERED SPECIES***

**CRITICAL HABITAT DETERMINATION RULES** The US Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) announced the reopening of the public comment period on their [August 24, 2012 proposed](#)

[rule](#) to revise their regulations pertaining to impact analyses conducted for designations of critical habitat ([77 FR 66946](#)). Comments are now due February 6, 2013. For more information, contact Douglas Krofta, USFWS, at (703) 358-2171 or Marta Nammack, NMFS, at (301) 713-1401.

**CANDIDATE NOTICE OF REVIEW: T&E SPECIES** The USFWS released an updated list of plant and animal species that are candidates for listing or that have been proposed for addition to the list of threatened and endangered (T&E) species ([77 FR 69993](#)). The notice provides a summary of completed actions and status of listing candidates, notes new candidate species, removed species, changes in listing priority of candidate species, and summaries of findings for petitioned candidates. In this action, the Sonoran desert tortoise (*Gopherus morafkai*) is noted to be a distinct species and no longer considered a distinct population segment (listing priority increased slightly, from 6 to 5). Review of status discussions include:

- the Washington ground squirrel, occurring on the Naval Weapons Systems Training Facility near Boardman, Oregon. In recent comments to National Environmental Policy Act (NEPA) documentation for this facility, the USEPA requested DoD describe proposed decision points and metrics to support adaptive management through updates to its Integrated Natural Resources Management Plan.
- *Festuca hawaiiensis*, a caespitose (growing in dense, low tufts) annual found in dry forests on the island of Hawaii, and known from four (4) populations totaling approximately 1,000 individuals in and around the Pohakuloa Training Area.
- *Schiedea pubescens*, a reclining or weakly climbing vine is found in diverse mesic to wet forests on the islands of Maui, Molokai, and Hawaii, Hawaii. Fenced areas are planned at Pohakuloa Training Area; nonnative feral ungulates and nonnative plants will be controlled within these fenced areas.

## **ENERGY**

**WAPA JOINT OUTREACH TEAM DRAFT RECOMMENDATIONS** The Western Area Power Administration (WAPA) Joint Outreach Team released draft recommendations on facilitating the US Department of Energy's (USDOE's) transition to a more resilient and flexible electric transmission grid and to achieving greater coordination among system operators ([77 FR 69619](#)). Comments are due January 22, 2013. The draft recommendations are in response to a request from the Energy Secretary. The draft recommendations are available at <http://ww2.wapa.gov/sites/western/about/Documents/JOT%20Draft%20Recommendations%20-%20FINAL%20%28111512%29.pdf>. Additional information is available at <http://ww2.wapa.gov/sites/western/about/Pages/Definingfuture.aspx>.

**GUIDANCE: ENERGY & WATER EFFICIENCY MEASURES** The USDOE released the final *Guidance for the Implementation and Follow-up of Identified Energy and Water Efficiency Measures in Covered Facilities*. This guidance to Federal agencies pertains to the implementation and follow-up of energy and water efficiency measures identified and undertaken per Section 432 of the Energy Independence and Security Act of 2007 (EISA). This is the third of three guidance documents. The EISA statute requires the USDOE to establish a publically available web-based tracking system that provides compliance data at the facility level. The EISA Compliance Tracking System (CTS) data findings will be available to the public 120 days after the release of this guidance. The final page of this guidance includes a request form for exemption of facilities from disclosure based on national security concerns; such requests are due by December 24, 2102. The guidance documents are available at [http://www1.eere.energy.gov/femp/regulations/facility\\_cts.html](http://www1.eere.energy.gov/femp/regulations/facility_cts.html).

**UPDATED ELECTRIC VEHICLE CHARGING STANDARD** The Society of Automotive Engineers (SAE) announced the first official standard for charging North American electric and hybrid electric cars. SAE adopted the [standard J1772](#) combination plug, which uses paired couplers to allow both direct current (DC) and alternating current (AC) charging. Cars with the older J1772 couplings, such as the 2012 Nissan Leaf and 2013 Chevrolet Volt, can still use the new plug. The new plug design could potentially reduce charging times from as long as eight hours to as short as 20 minutes. Most automobile manufacturers participated in development of the revised standard. Charge plug appearance and

ratings are summarized at <http://www.sae.org/misc/pdfs/chargingtable10-3-2012.pdf>. The revised standard J1772\_201210 is available (for purchase) from [http://standards.sae.org/j1772\\_201210/](http://standards.sae.org/j1772_201210/). Additional information is available at <http://www.gizmag.com/sae-j1772-combo-plug-standard/24607/>.

**NAVY BIOFUEL INITIATIVE** The Congressional Research Service (CRS) prepared a report for Congress titled *Navy Biofuel Initiative Under the Defense Production Act*. The report looks at the Navy's program to develop alternative fuels to reduce its dependence on petroleum-based fuels, under the Defense Production Act (DPA) of 1950, as amended to develop a domestic industrial capacity and supply of biofuel. This report informs Congress as it considers the policy question of whether a domestic biofuel industry is necessary for national defense, and whether proceeding under the authority of the DPA offers the necessary stimulus. The USDOE's Biomass Research and Development Technical Advisory Committee met November 14-15, 2012 in Washington, DC. Among the meeting topics was a discussion of the Navy Biofuel Initiative proposed under authority of the Defense Production Act. The report is available at <http://www.fas.org/sgp/crs/natsec/R42568.pdf>. Meeting minutes are available at <http://biomassboard.gov/committee/meetings.html>.

**RENEWABLE FUEL STANDARD WAIVER DENIED** The USEPA announced that it has not found evidence to support a finding of severe economic harm that would warrant granting a waiver of the Renewable Fuels Standard (RFS). This decision is based on economic analyses and modeling done in conjunction with the US Department of Agriculture (USDA) and USDOE. The USEPA found that the evidence and information failed to support a determination that implementation of the RFS mandate during the 2012-2013 time period would severely harm the economy of a State, a region, or the United States, the standard established by Congress in the Energy Policy Act of 2005 (EPAAct). Additional information is available at <http://www.epa.gov/otaq/fuels/renewablefuels/notices.htm>.

## OTHER

**JOINT BASING** The Government Accountability Office (GAO) issued a report finding that DoD has not developed or implemented a plan to guide joint bases in achieving cost savings and efficiencies ([GAO-13-134](#)). The report notes that DoD's original estimate for saving \$2.3 billion from joint basing over 20 years has been revised downward by almost 90%. Additionally, the Office of the Secretary of Defense (OSD) does not yet have a fully developed method of accurately collecting information on costs, savings, and efficiencies. For more information, contact Brian Lepore at (202) 512-4523 or at [leporeb@gao.gov](mailto:leporeb@gao.gov).

**GUIDANCE FOR PROTECTING FIRST RESPONDERS: ANTHRAX ATTACK** The Department of Homeland Security revised its guidance for first responders to an anthrax attack ([77 FR 64531](#)). The document is titled *Guidance for Protecting Responders' Health During the First Week Following a Wide-Area Aerosol Anthrax Attack*. The revised guidance reflects the current understanding of the unique environment that would be expected during the first week of a wide-area anthrax release due to exposure to aerosolized *Bacillus anthracis* spores. The guidance was developed by a federal interagency working group that included subject matter experts in biodefense, infectious diseases, and occupational health and safety. For more information, contact David Adams at (202) 254-5756 or at [david.adams@hq.dhs.gov](mailto:david.adams@hq.dhs.gov). The guidance is available at <http://www.dhs.gov/publication/protecting-responders-health-after-wide-area-aerosol-anthrax-attack>.

**NATIONAL FIRE CODE REVISIONS** The National Fire Protection Association (NFPA) is requesting comment on proposed revisions to many of its fire safety codes and standards ([77 FR 67268](#)). Among the standards being revised are those for carbon dioxide extinguishing systems, Halon 1301 systems, sprinkler systems, foam/water sprinkler systems, and systems for aircraft engine test facilities. Refer to the Federal Register citation for complete list of standards under revision and the applicable comment date(s). For more information, contact David Alderman at (301) 975-4019 or at [david.alderman@nist.gov](mailto:david.alderman@nist.gov).

**BIOBASED PROCUREMENT** The USDA designated twelve additional product categories for federal procurement preferences ([77 FR 69381](#)). Among the designated product categories are specialty precision cleaners and solvents, wastewater systems coatings, and fuel conditioners. Combat related military equipment is excluded per 7 CFR

3201.3(e). Refer to the Federal Register citation for additional procurement categories and more detail. This final rule is effective December 19, 2012. For more information, contact Ron Buckhalt at (202) 205-4008 or at [biopreferred@usda.gov](mailto:biopreferred@usda.gov).

## ***TOXICS***

**OUTBOUND INTERNATIONAL MAILING OF LITHIUM BATTERIES** The US Postal Service is revising its mailing standards for primary (non-rechargeable) and secondary (rechargeable) lithium cell and batteries properly installed in the equipment they are intended to power ([77 FR 68069](#)). This action allows such lithium batteries to be sent internationally or to army post office (APO), fleet post office (FPO), or diplomatic post office (DPO) locations when not restricted or prohibited by the destination country or APO, FPO, or DPO location. This revised mailing standard prohibits mailing of lithium batteries or cells either packed with equipment or mailed separately. It also establishes restrictions on the mailing of small consumer-type primary lithium cells or batteries and for secondary (rechargeable) batteries. This final rule was effective November 15, 2012. For more information, contact Rick Klutts at (813) 877-0372.

## ***WASTE***

**FEDERAL AGENCY HAZARDOUS WASTE COMPLIANCE DOCKET UPDATE** The USEPA updated the Federal Agency Hazardous Waste Compliance Docket, which is a listing of sites identified by agencies as needing remedial action ([77 FR 66609](#)). The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 120 requires that the USEPA assure that a preliminary assessment (PA) be completed within a reasonable timeframe for those Federal facilities that are included on the Docket. Refer to the Federal Register citation for details on additions and deletions to the Docket. The list is current as of September 12, 2012. For more information, contact Tim Mott at (703) 603-8807 or at [mott.timothy@epa.gov](mailto:mott.timothy@epa.gov). Additional information is available at <https://www.federalregister.gov/articles/2012/11/06/2012-27041/twenty-fifth-update-of-the-federal-agency-hazardous-waste-compliance-docket>.

**FEDERAL FACILITIES SITE EVALUATION PROJECT SITES** The USEPA posted information from the Federal Facilities Site Evaluation Project (FFSEP), a two-year effort to determine the assessment and cleanup status of 514 federally-owned sites. The 514 sites evaluated under the FFSEP were identified from the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database. Most indicate status of "no further response action planned (NFRAP)," or "known progress." Four sites indicated stalled or undetermined documentation. The FFSEP website is available at <http://www.epa.gov/fedfac/ffsep/index.htm>. The CERCLIS database is available at <http://www.epa.gov/superfund/sites/cursites/>.

## ***WATER***

**GAO REPORT: WATER ENERGY NEXUS** The GAO released a report on key energy-water nexus issues that Congress and federal agencies need to consider when developing and implementing national policies for energy and water resources. The report, titled *Energy-Water Nexus, Coordinated Federal Approach Needed to Better Manage Energy and Water Tradeoffs* ([GAO-12-880](#)) recommends that the USDOE take the actions necessary to establish a program to address the energy-water nexus, with involvement from other federal agencies, as described in the EPAct. For more information, contact Anu Mittal at (202) 512-6100 or at [mittala@gao.gov](mailto:mittala@gao.gov). Additional information is available at <http://www.gao.gov/products/GAO-12-880>.

**WATER EFFICIENCY STANDARDS FOR BUILDINGS** The American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE) released its draft *Standard for the Efficient Use of Water in Building, Site and Mechanical Systems*. The draft standard addresses water make up and use needs of all kinds, insulation and piping run volume standards for hot water piping, water metering and data collection, and other topics. Comments are due December 10, 2012. For more information, contact Jodi Scott at (678) 539-1140 or at [jscott@ashrae.org](mailto:jscott@ashrae.org). The draft standard is available at <https://osr.ashrae.org/default.aspx>.



**HYDRAULIC FRACTURING RESEARCH RELATED TO DRINKING WATER RESOURCES** The USEPA is undertaking a study to better understand any potential impacts of hydraulic fracturing on drinking water resources ([77 FR 67361](#)). The scope of the study includes the full hydraulic fracturing water lifecycle from water acquisition, through the mixing of chemicals and injection of fracturing fluids, to the post-fracturing stage, including the management of flowback and produced water and its ultimate treatment and disposal. The agency is soliciting public involvement in identifying relevant data and scientific literature (including unpublished information) on the potential impacts of hydraulic fracturing on drinking water resources. For more information, contact Lisa Matthews at (202) 564-6669 or at [matthews.lisa@epa.gov](mailto:matthews.lisa@epa.gov).

## *Professional Development*

**ONLINE:** [Energy Star Training](#). Energy Star offers free online training to help improve energy performance. Training is available in the form of live web conferences, pre-recorded training available 24/7, and self-guided presentations in pdf format you can take with you. Depending on the conference, session, or presentation, the training is designed for facility managers, property managers, environmental managers, energy managers, financial officers, building engineers, and others interested in Energy Star.

**\*ONLINE:** [FEMP Sponsored Training](#). The USDOE's Federal Energy Management Program (FEMP) and the National Institute of Building Sciences are partnering to offer online three- to five-hour long eTraining Courses through the Whole Building Design Guide website. Courses recently made available include: Sustainable Institutional Change for Federal Facility Managers; Managing Water Assessment in Federal Facilities; Planning an Energy Assessment for Federal Facilities; Advanced Electric Metering in Federal Facilities; Commissioning for Existing Federal Buildings; Federal On-Site Renewable Power Purchase Agreements; Launching a Utility Energy Services Contract (UESC): Getting to Yes; Selecting, Implementing, and Funding Photovoltaic Systems in Federal Facilities. Additional information is available at <http://apps1.eere.energy.gov/femp/training/>.

**ONLINE:** [Air Force Civil Engineering School Seminars](#). The Air Force Civil Engineering School offers a variety of free online seminars on hazardous waste management, hazardous materials management, stormwater management, and more.

**ONLINE:** [USEPA Stormwater Webcast Series](#). The USEPA's National Pollutant Discharge Elimination System (NPDES) Permitting program offers training courses, workshops, and webcasts to explain the regulatory framework and technical considerations of the NPDES Permit program. These courses are designed for permit writers, dischargers, USEPA officials, and other interested parties. Follow the provided link to view upcoming webcasts.

**ONLINE:** [USEPA Reduce Runoff Video](#). The USEPA and the U.S. Botanic Garden produced a 9-minute on-line video, "Reduce Runoff: Slow It Down, Spread It Out, Soak It In," that highlights green techniques such as rain gardens, green roofs and rain barrels to help manage stormwater runoff.

**ONLINE:** [USEPA Watershed Academy Web Self Paced Training Modules](#). This USEPA online training website offers a variety of self-paced training modules that represent a basic and broad introduction to the watershed management field. Modules vary in the time to complete, from ½ hour to 2 hours.

**ONLINE:** [USEPA Watershed Academy Webcast Series](#). USEPA's Watershed Academy is sponsoring **free** webcast seminars for local watershed organizations, municipal leaders, and others. To access a webcast, simultaneously log on to the web and/or participate by phone conference lines in live training conducted by expert instructors. Archived training sessions are also available by streaming audio.

**ONLINE:** [NPDES Training](#). The web-based NPDES permit writers training is a series of web-based recordings of presentations. This training is appropriate for those who have attended the live course and wish to review the

material in a self-paced environment, and for those who wish to become familiar with the NPDES process. A certificate of completion is available for each module in the series.

**ONLINE:** [ITRC Archived Internet-Based Training](#). The Interstate Technology and Regulatory Council (ITRC) offers **free** internet-based training events on a wide variety of topics. Archived training courses are available for online viewing or download for later viewing. Limited sessions/topics are available via podcast.

**ONLINE:** [CLU-IN Environmental Remediation Webcast Series](#). USEPA's Clean-up Information (CLU-IN) website provides information about innovative treatment and site characterization technologies while acting as a forum for waste remediation stakeholders. The CLU-IN website offers free podcasts, live web events, course and seminar information and more, with most lasting approximately two hours.

**ONLINE:** [Sustainable Materials Management Web Academy](#). The Sustainable Materials Management (SMM) Web Academy (*formerly the Resource Conservation Challenge, RCC*) series provides information through another year of webinars related to the USEPA's Sustainable Materials Management Program. Learn about key issues, successful projects, and a variety of best management practices for creating stellar waste management programs. Hear from experts around the country on what works and what doesn't, and how to make your program more successful. The format for the calls is a formal presentation followed by a question and answer session and discussion time.

**ONLINE:** [FedCenter-Sponsored Courses](#). In conjunction with the USEPA, FedCenter is now offering FREE, web-based, on-demand training courses for Federal employees. Initially, the FedCenter will be offering training for federal laboratories, environmental management systems, and underground storage tanks, but their library will expand over time to include other topic areas deemed important to the federal community. (FedCenter membership is required to view these courses).

**ONLINE:** [USEPA Climate & Energy Webcast Series](#). The USEPA hosts the Local Climate and Energy Webcast Series to assist local governments as they explore and plan climate change and clean energy efforts. These regular webcasts highlight EPA resources available to local governments and present examples of successful climate and energy programs and policies implemented locally.

**ONLINE:** [FEMP E-Learning Course – Water Management Training](#). This on-line course was developed to provide the Federal sector facility/energy manager with information to assist in meeting Executive Order and legislative requirements (EO 13514 and 13423 and EISA 2007 and predecessors) and introduce key elements of water resource management, planning, and implementation. The course provides a comprehensive overview of water management and is made up of 11 modules, with each module expected to take up to 15-30 minutes to complete. At least two hours is required to take the entire course.

**ONLINE:** [Global Challenges/ Chemistry Solutions Podcast Series](#). Global Challenges/Chemistry Solutions is a series of podcasts describing some of the 21st Century's most daunting problems, and how cutting-edge research in chemistry matters in the quest for solutions. These global challenges includes dilemmas such as providing a hungry, thirsty world with ample supplies of safe food and clean water; developing alternatives to petroleum to fuel society; preserving the environment and assuring a sustainable future for our children; and improving human health.

**ONLINE:** [2012 First Thursday Series Seminars](#). First Thursday Seminars are FEMP training opportunities targeting Federal energy, environmental, and fleet professionals offered at no cost by leading experts. Seven seminars will be held February through August on the first Thursday of each month. Archived seminars from 2010 and 2011 are also available at this site.

**ONLINE:** [FEMP Energy Management Program Online Training](#). FEMP trains federal energy managers on the latest energy requirements, best practices, and technologies. Training categories include design, operations, and maintenance; energy efficient products; energy management; financing; fleet; GHGs; laws, regulation and guidance;

renewable energy; and water efficiency. Search the FEMP website for all topics, specific topics, or type of training (live or on-demand) to find training opportunities. All courses are free unless otherwise noted.

**ONLINE:** [Solar Energy International](#). Solar Energy International offers several online courses addressing design and installation of a variety of solar energy systems. These fee-based courses generally require 10 hours per week of online instruction, accessible at any time. Courses must be completed within a 6-week window. Follow the provided link to view class schedules.

**VARIES:** [USACE 2013 Training Program \(Purple Book\)](#). US Army Corps of Engineers (USACE) FY 2013 training program is open for registration. For further information, contact USACE at (402) 697-2559. More information on USACE training programs is available at <http://pdsc.usace.army.mil/>.

**VARIES:** [Navy and ISEERB Environmental Training FY 13](#). The Navy and the Interservice Environmental Education Review Board (ISEERB) Environmental Training schedule for FY13 is available. Course topics include environmental overview and management; law planning & sustainability; pollution prevention; restoration; conservation; supplemental & internet/computer-based training, and more.

**VARIES:** [Air Force Civil Engineering School Training FY 2013](#). The Air Force Civil Engineering School offers a variety of environmental management courses and seminars, including ISEERB offerings. Courses offered by the Civil Engineer School are available to all military and civilian employees of the US government. Fees vary according to personnel status (i.e. active duty Air Force/civilian, other US government employee, contractor).

**JANUARY 10-11, 2013 SALT LAKE CITY, UT:** [Utah Governor's Energy Development Summit](#). Join Governor Gary R. Herbert and other national energy leaders as they highlight energy priorities, hot topics, and emerging energy issues. Tracks cover conventional, unconventional, energy efficiency, and renewable energy issues. This event includes a trade show.

**JANUARY 14, 2013 LA JOLLA, CA:** [AWEA Regional Wind Energy Summit – West](#). The summit provides a comprehensive and timely analysis of current and near-term market conditions, import-export energy opportunities, and the latest on siting and transmission policy issues in the West.

**JANUARY 29-FEBRUARY 1, 2013 USMCB KANOEHE BAY, HI:** [Natural Resource Compliance](#). Repeats May 21-24, 2013, USMCB Quantico, VA. This course instructs DoD personnel on laws, regulations, and directives that govern stewardship of fish, game, and wildlife, protection of wetlands, waterways, and other special ecological areas, and management of forest and other land use within the context of the military mission. Covers mandatory interagency cooperation. Tuition-free for DoD military, civilian, and government-sponsored contractor personnel, however, travel and per diem costs are borne by the student's organization. For assistance, contact Beverly Copeland at (805) 982-3336 or at [beverly.copeland@navy.mil](mailto:beverly.copeland@navy.mil).

**FEBRUARY 4-8, 2013 ANCHORAGE, AK:** [Alaska Forum on the Environment, 2013](#). The Forum continues to offer training and information that includes plenary sessions with nationally recognized keynote speakers, and a broad range of topics included in over 80 breakout sessions on: climate change, emergency response, environmental regulations, fish and wildlife populations, rural issues, energy, military issues, business issues, solid waste, contaminants, contaminated site cleanup, mining and others. [Online environmental training](#) is now available for a fee.

**FEBRUARY 5-7, 2013 JOINT BASE PEARL HARBOR-HICKHAM, HI:** [Advanced Historic Preservation Law & Section 106 Compliance](#). Repeats May 7-9, 2013, Fort Belvoir, VA and June 4-6, 2013, NTC Great Lakes, IL. Provides DoD and United States Coast Guard (USCG) military and civilian personnel with an awareness of the legal and policy requirements for cultural resources management. This course provides personnel with the knowledge necessary to manage and administer cultural resources on DoD installations. Tuition-free for DoD military, civilian, and government-sponsored contractor personnel, however, travel and per diem costs are borne by the student's organization. For assistance, contact Beverly Copeland at (805) 982-3336 or at [beverly.copeland@navy.mil](mailto:beverly.copeland@navy.mil).

**FEBRUARY 12-14, 2013 SCHOFIELD BARRACKS, HI:** [Introduction to Cultural Resource Management Laws & Regulations](#). The course introduces students to requirements and responsibilities under laws, regulations, and directives that govern Federal stewardship of cultural resources; DoD service and Coast Guard policies for consultation regarding cultural resources. Intended for installation cultural resource managers. Tuition-free for DoD military, civilian, and government-sponsored contractor personnel, however, travel and per diem costs are borne by the student's organization. For assistance, contact Beverly Copeland at (805) 982-3336 or at [beverly.copeland@navy.mil](mailto:beverly.copeland@navy.mil).

**FEBRUARY 13-15, 2013 SAN DIEGO, CA:** [SOLAR Power-Gen Conference & Exhibit](#). Understand the challenges associated with the advancement of large-scale solar energy. This conference provides opportunities to learn from leading industry specialists, plus manufacturers and suppliers on the forefront of the ever-changing market.

**FEBRUARY 20, 2013 PORTLAND OR:** [AWEA Regional Wind Energy Summit – Northwest](#). This summit provides a comprehensive and timely analysis of current and near-term market conditions, opportunities and the latest on siting, transmission expansion, and grid operations issues. Feature sessions include a spotlight on recently built wind projects and business development activity, as well as a state policy roundtable with legislators and regulators on what's hot in Washington, Idaho, Oregon and Montana.

**APRIL 11-13 2013, WASHINGTON, DC:** [Reclaim + Remake Symposium](#). This conference brings together the most innovative practices in education and research for current and future reuse and recycling of material resources in the built environment.

**\*MAY 15-17, 2013, ATLANTA, GA:** [Brownfields 2013](#). The focus of this conference is environmental revitalization and economic redevelopment.

\*Indicates the first time a conference or event is reported in the Review.

## ***How the Regional Offices Work for You***

When used within the framework of ISO 14001, the *Western Region Review* can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO 14001. Information in the *Review* is intended for general guidance, and the reader should refer to cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations.

The US Army Regional Environmental and Energy Offices monitor state legislative and regulatory actions on your behalf. If a proposed state action has (1) critical mission impact; (2) conflicts with a federal requirement; and/or (3) a disproportionate effect on the Army or DoD, we coordinate with the potentially affected installations, commands, and/or other military Services to further assess the potential impact. If action is needed on a proposed measure we work with Army or Service regulatory experts to communicate DA/DoD position, coordinating with the affected installations and commands. Comments are combined from all parties in a single DoD/Army package and formally submitted to the state.

Want to comment on a rule or bill in the Review?

Please contact your Regional Environmental Coordinator listed in the Staff Directory.

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# Acronyms

<b>ADEC</b>	Alaska Department of Environmental Conservation
<b>ADFG</b>	Alaska Department of Fish and Game
<b>ADNR</b>	Alaska Department of Natural Resources
<b>ACHP</b>	Advisory Council on Historic Preservation
<b>ACUB</b>	Army Compatible Use Buffer
<b>ATSDR</b>	Agency for Toxic Substances and Disease Registry
<b>BACT</b>	best available control technology
<b>BART</b>	best available retro-fit technology
<b>BLM</b>	Bureau of Land Management
<b>BTU</b>	British thermal unit
<b>CAA</b>	Clean Air Act
<b>CAFE</b>	corporate average fuel economy
<b>CAMR</b>	Clean Air Mercury Rule
<b>CERCLA</b>	Comprehensive Environmental Response, Compensation, and Liability Act
<b>CEQ</b>	Council on Environmental Quality
<b>CFR</b>	Code of Federal Regulation
<b>CH<sub>4</sub></b>	methane
<b>CNOR</b>	candidate notice of review
<b>CO<sub>2</sub></b>	carbon dioxide
<b>CO<sub>2</sub>e</b>	carbon dioxide equivalent
<b>CrVI</b>	hexavalent chromium
<b>CTED</b>	Washington Department of Community, Trade, & Economic Development
<b>CWA</b>	Clean Water Act
<b>CX</b>	categorical exclusion
<b>DO</b>	dissolved oxygen
<b>DoD</b>	Department of Defense
<b>DPS</b>	distinct population segment
<b>EA</b>	environmental assessment
<b>ECA</b>	emission control area
<b>ECF</b>	emission comparable fuel
<b>EIO</b>	Energy Initiatives Office
<b>EIS</b>	environmental impact statement
<b>EO</b>	Executive Order
<b>ESA</b>	Endangered Species Act of 1973
<b>ESTCP</b>	Environmental Security Technology Certification Program
<b>FERC</b>	Federal Energy Regulatory Commission
<b>FIFRA</b>	Federal Insecticide, Fungicide, and Rodenticide Act
<b>FONSI</b>	finding of no significant impact
<b>FY</b>	fiscal year
<b>GAO</b>	Government Accountability Office
<b>GHG</b>	greenhouse gas
<b>GRP</b>	geographic response plan
<b>GSA</b>	General Service Administration
<b>HCFC</b>	hydrochlorofluorocarbon
<b>HFC</b>	hydrofluorocarbon
<b>HFE</b>	hydrofluorinated ethers
<b>HID</b>	high intensity discharge
<b>IDAPA</b>	Idaho Administrative Procedures Act
<b>IDEQ</b>	Idaho Department of Environmental Quality
<b>INRMP</b>	integrated natural resource management plan
<b>ISEERB</b>	Interservice Environmental Education Review Board
<b>ITRC</b>	Interstate Technology and Regulatory Council
<b>JLUS</b>	Joint Land Use Study
<b>LBP</b>	lead-based paint

<b>LEED</b>	Leadership in Energy and Environmental Design
<b>LID</b>	Low-Impact Development
<b>LOSS</b>	large on-site sewage system
<b>LT2</b>	long term 2
<b>MACT</b>	maximum achievable control technology
<b>MCL</b>	maximum contaminant level
<b>MCLG</b>	maximum contaminant level goal
<b>MERIT</b>	Materials of Evolving Regulatory Interest Team
<b>MOU</b>	memorandum of understanding
<b>MPA</b>	marine protected area
<b>MS4</b>	municipal separate storm sewer system
<b>MSGP</b>	multi-sector general permit
<b>N<sub>2</sub>O</b>	nitrous oxide
<b>NAAQS</b>	National Ambient Air Quality Standards
<b>NCSL</b>	National Conference of State Legislatures
<b>NEPA</b>	National Environmental Policy Act
<b>NESHAP</b>	National Emission Standards for Hazardous Air Pollutants
<b>NF<sub>3</sub></b>	nitrogen trifluoride
<b>NHTSA</b>	National Highway Traffic Safety Administration
<b>NIST</b>	National Institute of Standards and Technology
<b>NMFS</b>	National Marine Fisheries Service
<b>NOAA</b>	National Oceanic and Atmospheric Administration
<b>NO<sub>2</sub></b>	nitrogen dioxide
<b>NO<sub>x</sub></b>	nitrogen oxides
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>NRC</b>	Nuclear Regulatory Commission
<b>NSPS</b>	New Source Performance Standard
<b>NSR</b>	New Source Review
<b>OAR</b>	Oregon Administrative Rules
<b>ODA</b>	Oregon Department of Agriculture
<b>ODEQ</b>	Oregon Department of Environmental Quality
<b>OEQC</b>	Oregon Environmental Quality Commission
<b>OMB</b>	Office of Management and Budget
<b>ORCR</b>	Office of Resource Conservation and Recovery
<b>P2</b>	pollution prevention
<b>PBDE</b>	polybrominated diphenyl ethers
<b>PFC</b>	perfluorocarbons
<b>PFOA</b>	perfluorooctanoic acid
<b>PFOS</b>	perfluorooctane sulfonic acid
<b>PHMSA</b>	Pipeline and Hazardous Materials Safety Administration
<b>PM</b>	particulate matter
<b>PM<sub>2.5</sub></b>	particulate matter 2.5 microns in diameter or less
<b>PM<sub>10</sub></b>	particulate matter 10 microns in diameter or less
<b>POPs</b>	persistent organic pollutants
<b>ppb</b>	parts per billion
<b>PSD</b>	Prevention of Significant Deterioration
<b>PWS</b>	public water system
<b>RCRA</b>	Resource Conservation and Recovery Act
<b>REEO-W</b>	Regional Environmental and Energy Office - Western
<b>RoC</b>	Report on Carcinogens
<b>RoHS</b>	European Union's Restriction of Hazardous Substances
<b>RRP</b>	Renovation, Repair, and Painting
<b>SERDP</b>	Strategic Environmental Research and Development Program
<b>SI</b>	spark-ignition
<b>SIP</b>	State Implementation Plan
<b>SMP</b>	Shoreline Management Plan
<b>SNAP</b>	significant new alternatives policy

<b>SNUR</b>	significant new use rule
<b>SO<sub>2</sub></b>	sulfur dioxide
<b>SO<sub>x</sub></b>	sulfur oxides
<b>SPCC</b>	spill prevention, control, and countermeasures
<b>TAC</b>	toxic air pollutant
<b>TiO<sub>2</sub></b>	titanium dioxide
<b>TMDL</b>	total maximum daily load
<b>tpy</b>	tons per year
<b>TRI</b>	Toxics Release Inventory
<b>TSCA</b>	Toxic Substance Control Act
<b>UFC</b>	Unified Facilities Criteria
<b>ug/m<sup>3</sup></b>	micrograms per cubic meter
<b>US</b>	United States
<b>USACE</b>	United States Army Corps of Engineers
<b>USAEC</b>	United States Army Environmental Command
<b>USDA</b>	United States Department of Agriculture
<b>USDOE</b>	United States Department of Energy
<b>USDOJ</b>	United States Department of Interior
<b>USDOT</b>	United States Department of Transportation
<b>USEPA</b>	United States Environmental Protection Agency
<b>USFS</b>	United States Forest Service
<b>USFWS</b>	United States Fish and Wildlife Service
<b>USGS</b>	United States Geological Survey
<b>UST</b>	underground storage tank
<b>USTCA</b>	Underground Storage Tank Compliance Act
<b>VOC</b>	volatile organic compound
<b>WAC</b>	Washington Administrative Code
<b>WCI</b>	Western Climate Initiative
<b>WEFSEC</b>	Washington Energy Facility Site Evaluation Council
<b>WDC</b>	Washington Department of Commerce
<b>WDOE</b>	Washington Department of Ecology
<b>WDOH</b>	Washington Department of Health
<b>WPCF</b>	Water Pollution Control Facility
<b>WRAP</b>	Western Regional Air Partnership